



Senator Scott Wiener, 11th Senate District

Senate Bill 957 – SOGI Data

SUMMARY

Senate Bill 957 will require the California Department of Public Health (CDPH) to collect sexual orientation and gender identity (SOGI) data from third-party entities, including local health jurisdictions, on any forms or electronic data systems, unless prohibited by federal or state law. The bill will also require CDPH to provide an annual report to the public and to the Legislature on its efforts to collect, analyze, and report SOGI data.

BACKGROUND/PROBLEM

Collecting accurate SOGI data is essential to understanding the extent to which LGBTQ+ people in California are experiencing disparities in health and well-being and whether government programs are reaching LGBTQ+ people in need of care and assistance.

AB 959 (Chiu, Chapter 565, Statutes of 2015) required specified state departments, including CDPH, to collect and report voluntarily provided self-identification SOGI data when collecting other demographic data, such as ethnicity, age, and race.

More recently, in the wake of the COVID-19 pandemic, SB 932 (Wiener, Chapter 183, Statutes of 2020) required that electronic reporting tools used by local health officers for reporting communicable diseases include the capacity to collect and report SOGI data, and mandated that health care providers in California report SOGI data, if known, for all reportable communicable diseases.

In 2023, the California State Auditor conducted an audit of CDPH and its role in collecting, reporting, and using SOGI data. The audit found that CDPH has been slow to adopt and enforce standardized definitions, guidelines, and training to ensure the consistent collection and reporting of SOGI data, which has limited its ability to identify and address health disparities among LGBTQ+ people.

Specifically, the report found that CDPH collects SOGI data on only a small portion of the forms it uses to gather demographic data. The Department is able

to sidestep the requirements of SB 959 because most of the forms it uses to collect data are administered by third parties, not the Department directly. Of the 129 forms reviewed that collect demographic data, 105 were exempt from collecting SOGI data. Ninety of those forms were exempt because a third party, such as a local health jurisdiction – or health care provider – collects the data separately. The other 15 forms were exempt due to federal guidelines on demographic data collection. Of the 24 forms required to collect SOGI data, only 17 collect complete SOGI data and the remaining 7 only collect partial data.

Failing to collect accurate SOGI data makes the LGBTQ+ community invisible and undermines opportunities to ensure that all Californians receive the care and services they need. This oversight can have significant consequences for LGBTQ+ people, including stigma, misinformation, ineffective service provision, and a delayed response to public health emergencies like COVID-19 and the recent MPX (monkeypox) outbreak.

SOLUTION

The Legislature has acknowledged the need to collect accurate and comprehensive SOGI data to understand and apply that data for the enhancement and improvement of public services for California's LGBTQ+ community.

To ensure that CDPH collects complete SOGI data to effectively implement and deliver critical services for LGBTQ+ people, SB 957 will amend existing law to require CDPH to collect SOGI data from third-party entities, including local health jurisdictions, on any forms or electronic data systems unless prohibited by federal or state law. SB 957 will also allow voluntarily provided SOGI data to be included in the statewide immunization registry to better identify immunization-related disparities among LGBTQ+ people. The bill will also require CDPH to provide an annual report to the public and to the Legislature on its efforts to collect, analyze, and report SOGI data; improve services or program outcomes for

underserved LGBTQ+ communities; and implement the recommendations from the audit report.

SUPPORT

- **Equality California (Sponsor)**
- **California LGBTQ Health & Human Services Network (Sponsor)**

FOR MORE INFORMATION

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